

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

LEOPOLDO CARMONA,

Plaintiff,

v.

**Civil No. 9:02-CV-884
(GLS) (DEP)**

LESTER N. WRIGHT, *et. al.*,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

LEOPOLDO CARMONA
Pro Se
Republica Dominican
Santo Domingo
Andres Boca Chi Ca, Apt #19
Calle Sanchez

FOR DEFENDANTS:

HON. ELIOT SPITZER
New York State Attorney General
The Capitol
Albany, New York 12224-0341

CHRISTOPHER W. HALL, ESQ.
Assistant Attorney General

**Gary L. Sharpe
U.S. District Judge**

Order

On January 25, 2006, the court issued a Memorandum-Decision and

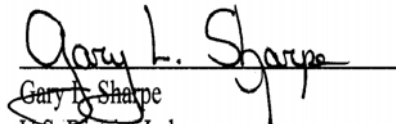
Order ("MDO") that, *inter alia*, documented the flagrant, intentional and willful failure of plaintiff, Leopoldo Carmona, to obey prior court orders and the federal and local rules. See *Carmona v. Wright et. al.*, -- F.R.D. -- , 2006 WL 172340 (N.D.N.Y. Jan. 25, 2006); see also *Dkt. No. 72*. The MDO afforded Carmoma thirty days to file an affidavit that, *inter alia*, detailed legal or equitable reasons as to why the court should refrain from dismissing his lawsuit as a sanction for all of the violations detailed in the MDO. *Id.* at * 8. Consistent with Carmona's past behavior, he failed to respond.

Accordingly, and for the numerous reasons cited in the prior MDO, it is hereby

ORDERED that Carmona's amended complaint (*Dkt. No. 29*) is **HEREBY DISMISSED** as a sanction for his repeated violations of court orders and the federal and local rules, and because he has failed to prosecute his action.

SO ORDERED.

Date: February 27, 2006
Albany, New York


Gary L. Sharpe
U.S. District Judge